REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-14, 16, and 17 are presently pending in this case. Claims 1, 13, and 14 are amended, Claim 15 is canceled without prejudice or disclaimer, and new Claims 16 and 17 are added by the present amendment. As amended Claims 1, 13, and 14 and new Claims 16 and 17 are supported by the original disclosure,[1] no new matter is added.

In the outstanding Official Action, Claims 1-3, 13, 14, and 15 were rejected under 35 U.S.C. §103(a) as unpatentable over Saito et al. (U.S. Patent Application Publication No. 20010018685, hereinafter "Saito") in view of Hane et al. (Japanese Patent Application Publication No. 2002-320159, hereinafter "Hane"); and Claims 4-12 were rejected under 35 U.S.C. §103(a) as unpatentable over Saito in view of Hane and further in view of Platt (U.S. Patent No. 6,987,221).

The abstract is amended herewith to place it in conformance with U.S. practice. No new matter is added.

With regard to the rejection of Claim 1 as unpatentable over Saito in view of Hane, that rejection is respectfully traversed.

Amended Claim 1 recites in part:

> generating means for generating user preference
> information indicating preferences of a user based on the use
> frequency calculated by said calculating means, *said
> generating means generating user preference information
> based on a normalized use frequency, said normalized use
> frequency normalized based on use frequencies of all
> contents delivered during a time period corresponding to a
> use history.*

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[1] See, e.g., the specification at page 19, lines 7-14, page 20, lines 1-15, and Claim 1.

Saito describes an information processing apparatus including a search means for searching a database, for example database inquiry block 9.[2] The outstanding Office Action cited the search means of Saito as "generating means" as recited in original Claim 1.[3] However, it is respectfully submitted that neither the search means nor the database inquiry block 9 of Saito normalizes any value, much less normalizing a use frequency based on use frequencies of all contents delivered during a time period corresponding to a use history. Thus, it is respectfully submitted that Saito does not teach or suggest "generating means" as defined in amended Claim 1. Further, it is respectfully submitted that Hane does not teach or suggest "generating means" as defined in amended Claim 1 either, as Hane does not teach or suggest normalizing any value, much less normalizing a use frequency based on use frequencies of all contents delivered during a time period corresponding to a use history. Consequently, Claim 1 (and Claims 2-12 dependent therefrom) is patentable over Saito in view of Hane.

Amended Claims 13 and 14 recite in part:

> generating user preference information indicating preferences of a user based on the use frequency calculated in said calculating, said generating including *generating user preference information based on a normalized use frequency, said normalized use frequency normalized based on use frequencies of all contents delivered during a time period corresponding to a use history*.

As noted above, neither Saito nor Hane teach or suggest normalizing any value, much less normalizing a use frequency based on use frequencies of all contents delivered during a time period corresponding to a use history. Consequently, Claims 13 and 14 are also patentable over Saito in view of Hane.

With regard to the rejection of Claims 4-12 as unpatentable over Saito in view of Hane in further in view of Platt, it is noted that Claims 4-12 are dependent from Claim 1, and

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[2] See Saito, Figure 1 and paragraphs 7, 67, and 68.
[3] See the outstanding Office Action at page 4, lines 6-10.

thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that <u>Platt</u> does not cure any of the above-noted deficiencies of <u>Saito</u> and <u>Hane</u>. Accordingly, it is respectfully submitted that Claims 4-12 are patentable over <u>Saito</u> in view of <u>Hane</u> in further in view of <u>Platt</u>.

New Claim 16 is supported least by the specification at page 20, lines 1-15. New Claim 16 recites in part "said recommending means recommends content for which the normalized use frequency exceeds a preference threshold." As noted above, neither <u>Saito</u> nor <u>Hane</u> teach or suggest normalizing any value. Therefore, it is respectfully submitted that neither <u>Saito</u> nor <u>Hane</u> teach or suggest any means for recommending content for which a normalized use frequency exceeds a preference threshold. Accordingly, new Claim 16 further defines over <u>Saito</u> and <u>Hane</u>.

New Claim 17 is supported least by Claim 1 and the specification at page 19, lines 7-14. New Claim 17 recites in part:

> a preference generating unit configured to generate user preference information indicating preferences of a user based on the use frequency calculated by said calculating unit, ***said preference generating unit configured to generate user preference information based on a normalized use frequency, said normalized use frequency normalized based on use frequencies of all contents delivered during a time period corresponding to a use history.***

As noted above, neither <u>Saito</u> nor <u>Hane</u> teach or suggest normalizing any value, much less normalizing a use frequency based on use frequencies of all contents delivered during a time period corresponding to a use history. Thus neither <u>Saito</u> nor <u>Hane</u> teach or suggest "a preference generating unit" as defined in new Claim 17. Consequently, new Claim 17 also patentable over <u>Saito</u> in view of <u>Hane</u>.
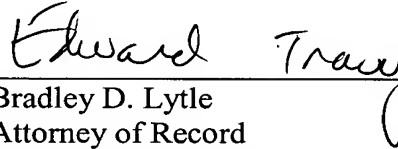
Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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